

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

IN RE:)
) Bankruptcy No. 09B 25326
Sunbeamer Services Corp) Chapter 7
Debtor) Judge John H. Squires
)

NOTICE OF MOTION

TO: SEE ATTACHED SERVICE LIST

Please take notice that on **January 28, 2011**, I will appear before the Honorable Judge Squires or before any Judge sitting in his place and stead in **Courtroom 4016** the room usually occupied by said Judge in the DuPage County Courthouse, 505 N. County Farm Road, Wheaton, Illinois at the hour of **9:30 a.m.** and then and there present the attached **Application of the Trustee to Pay Net Funds to Secured Creditor and Deem the Application to be in the Nature of a Final Report and Other Relief**, at which time you may appear if you see fit.

/s/David E. Grochocinski

DAVID E. GROCHOCINSKI

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, David E. Grochocinski, an attorney, certify that I caused a copy of the foregoing Notice and Motion to be served on the parties listed on the attached service list by first class mail by depositing with the United States Postal Service, Orland Park, IL, postage prepaid on January 7, 2011, before the hour of 5:00 o'clock p.m.

/s/David E. Grochocinski

DAVID E. GROCHOCINSKI

David P. Lloyd

Grochocinski, Grochocinski & Lloyd, Ltd.

1900 Ravinia Place

Orland Park, IL 60462 (708) 226-2700

Service List.

U.S. Trustee's Office
219 S. Dearborn Street
Suite 873
Chicago, IL 60604

Sunbeamer Services Corp
c/o Greg Wojcik
22375 W Timberlea
Kildeer, IL 60047

Ariel Weissberg
Weissberg & Assoc.
401 S LaSalle Street
Suite 403
Chicago, IL 60603

Greg Block
Millennium Properties R/E, Inc.
20 S Clark Street
Suite 630
Chicago, IL 60603

Business Loan Center
c/o Michael Gilmartin
Chuhak & Tecson
30 S Wacker Drive
Suite 2600
Chicago, IL 60606

David E. Grochocinski
David P. Lloyd
Ariane Holtschlag
Michael Phelps
Grochocinski, Grochocinski & Lloyd, Ltd.
1900 Ravinia Place
Orland Park, IL 60462
708-226-2700
Attorneys for Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:	)	Case No.: 09-25326
)	
Sunbeamer Services Corp,	)	NOTICE OF HEARING ON APPLICATIONS
	)	FOR FINAL COMPENSATION FOR THE
Debtor.	)	CHAPTER 7 TRUSTEE, ATTORNEYS FOR
	)	THE TRUSTEE, ACCOUNTANT FOR THE
	)	TRUSTEE AND FOR OTHER RELIEF
	)	INCLUDING THE PAYMENT OF REMAINING
	)	FUNDS TO SECURED CREDITOR

PLEASE TAKE NOTICE THAT ON January 28, 2011 at the hour of 9:30 am o'clock in room 4016 of the DuPage County Courthouse, 505 N. County Farm Road, Wheaton, IL, 60187, the trustee will present applications for final compensation for the trustee, the attorneys for the trustee, accountants for the trustee and request the court that the balance of the funds be paid to Business Loan Center(BLC), the secured creditor in the case and that upon clearance of the funds that the case be closed by the clerk of the court at which time and place you may appear and be heard.

This matter concerned the sale and transfer of certain commercial real property located at 825 N. Main Street, Glen Ellyn, IL which was the business location for Sunbeamer Services Corp. The debtor had operated a Gas and Services station at the location and it is adjacent to certain government buildings utilized by the Village of Glen Ellyn.

1 The debtor had attempted to sell the property since 2007 but the impending sale did not close
2 due to some financing issues with the proposed buyers and the debtor opted to file a chapter 7
3 case in order to attempt a resolution of its debts.

4 The property was the subject of a foreclosure proceeding and certain competing lienholders had
5 filed cross and counterclaims against the debtor and the secured creditor, BLC. The result was
6 costly litigation and uncertain lien determinations and possible contamination of the property
7 with gasoline and or derivatives thereof.

8 The trustee was requested by BLC to attempt to resolve the competing interests in the property
9 and sell the real property free of the liens to accomplish the result. The trustee with the
10 assistance of counsel for BLC successfully sold the property to the Village of Glen Ellyn for the
11 gross sum of \$590,000.00 and BLC agreed to pay the trustee his compensation in accordance
12 with 11 USC 326 as well as counsel for the trustee and the accountant in order to prepare final
13 tax returns for the debtor and take into account the transfer of the real property.

14 The trustee has requested compensation in the amount of \$32751.52 which is in accord with 11
15 USC 326 based upon about 79.0 hours of time and the attorneys for the trustee (Grochocinski,
16 Grochocinski, & Lloyd, Ltd.) have requested the sum of \$7,560.00 based upon 19.80 hours of
17 time and the accountant has requested the sum of \$ 2,392.50 for an estimated 13.10 hours of
18 time to prepare and file the final income tax returns for the debtor and to take into account the
19 sale and transfer of the subject real property.

20 The bar date in the case has passed and the only creditor to file a claim is BLC and it appears
21 after disposition of case # 10A 02229, that the lien of BLC is superior to that of all other
22 claimants and is therefore entitled to all remaining funds.

23 Since all funds on deposit with the trustee will have been paid and no further assets require
24 administration, the trustee is requesting that the court deem the application and order to be in
25 the nature of a final report and that after clearance of the checks and delivery of same to the
26 United States Trustee for final account, that the case be closed by the clerk of the court.

27 Objections to the applications of the trustee must be filed on or before January 21, 2011 with the
28 clerk of the court and copies thereof served upon the trustee c/o his counsel via mail as
29 indicated above or via facsimile at 708-226-9030 or via email to lawyers@ggl-law.com and upon
30 counsel for Business Loan Services, Michael Gilmartin, Chuhak & Tecson, PC, 30 W. Wacker
Drive, Suite 2600, Chicago, IL 60606 or via email to mgilmartin@chuhak.com.

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2 If no objections are filed to the applications the court is likely to approve same and grant the
3 related requested relief.

4 This matter may be continued from time to time without further notice.

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6 Dated: January 7, 2011

David E. Grochocinski, trustee

Estate of Sunbeamer Services Corp

09-25326
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U. S. Trustee
219 South Dearborn Street, Room 873
Chicago, IL 60604

Sunbeamer Services Corp
825 North Main Street
Glen Ellyn, IL 60137

Sunbeamer Services Corp
c/o Ariel Weissberg
401 South LaSalle Street, Suite 403
Chicago, IL 60605

Global Dev. & Environmental Resources
c/o R. Anthony Defrenza
707 Skokie Blvd., Suite 410
Northbrook, IL 60062

Shrikant Medepalli, Pallavi, MVR Ventures
c/o William D. Skuster, Morrisroe & Assoc.
114 Bloomingdale Road,
Bloomingdale, IL 60108

JBA Associates, Inc.
c/o Avis J. Bonnett, Reg. Agent
1485 RFD
Long Grove, IL 60047

Anil Chugh
356 Trinity Lane
Oak Brook, IL 60523

Michael Fiandaca
6756 North Harlem Avenue
Chicago, IL 60631

Mark Hamilton
Churchill, Quinn, Richtman & Hamilton
2 South Whitney Street, P. O. B. 284
Grayslake, IL 60030

Gas Plus Oil Company, Inc.
356 Trinity Lane
Oak Brook, IL 60523

Glen Investments
736 North Western Avenue, Suite 323
Lake Forest, IL 60045

Village of Glen Ellyn
535 Duane Street
Glen Ellyn, IL 60137

Business Loan Center, LLC
c/o Michael J. Gilmartin
Chuchak & Tecson, P. C.
30 South Wacker Drive, Suite 2600
Chicago, IL 60606

Realtax Developers, Ltd.
C/o Carol A. Huff, Reg. Agent
4118 Norht Keenland
Peoria, IL 61614

Greg Block
Millennium Properties R/E, Inc.
20 South Clark Street, Suite 630
Chicago, IL 606030

Ancel, Glink, Diamond, Bush, et al.
Attn: Paula Vincich Randall
175 East Hawthorn Parkway, Suite 145
Vernon Hills, IL 60061

Sabre Group, LLC
c/o Kenneth R. Rochman, Reg. Agent
31 Homewood Drive, P. O. Box 3074
Carbondale, IL 62902

Sabre Group, LLC
c/o Barrett Rochman
31 Homewood Drive
Carbondale, IL 62901

Sabre Group, LLC
c/o Charles Decker
312 East Main
Carbondale, IL 62901

Business Loan Center
c/o Chuhak & Tecson, PC
30 South Wacker Drive, Suite 2600
Chicago, IL 60606

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Attorneys for Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:	)	Case No.: 09-25326
)	
Sunbeamer Services Corp,	)	APPLICATION OF THE TRUSTEE TO PAY
	)	NET FUNDS TO SECURED CREDITOR
Debtor.	)	AND DEEM THE APPLICATION TO BE IN
	)	THE NATURE OF A FINAL REPORT AND
	)	OTHER RELIEF

COMES NOW David E. Grochocinski, chapter 7 trustee, by his counsel, Grochocinski, Grochocinski, & Lloyd, Ltd., and in moving this court for entry of an order allowing for payment of net remaining funds after compensation is determined for the trustee and other professionals and to allow the application to stand in place of a final report and for closure of the case upon submission documents and papers to the United States Trustee and in support thereof states as follows:

- 1) Applicant is the appointed chapter 7 trustee for Sunbeamer Services Corp.
- 2) The trustee caused certain property of the estate to be sold which was not easily transferrable due to lien issues and environmental issues.
- 3) The court has this day been presented with applications for final compensation and the prior orders of this court provide for Business Loan Center, Inc to be deemed to be the primary secured creditor. Its loan balance exceeds the amount which the trustee has on deposit so that

1 no other payments to creditors will be made and no other creditor, secured or unsecured, has
2 filed a proof of claim.

3 4) It appears that all funds less the sums awarded to the trustee and other professionals should
4 be paid to Business Loan Center, Inc and it likewise appears that no other issue exists in the
5 case nor does any other property exist which could be liquidated for the benefit of creditors.

6 5) Upon entry of this order and the award of compensation all matters concerning the
7 administration of the case will have been completed and no reason exists to have the case
8 remain open once checks have cleared the trustee's account.

9 6) The normal procedure to close a case by a trustee holding assets or moneys is to file a final
10 report and have the court rule upon compensation issues. With the presentation of the
11 applications such procedures will have been completed and only the clearance of the checks
12 and the final account would remain for review by the United States Trustee.

13 7) The trustee requests that this application be treated as a final report and that upon clearance
14 of the checks and payment of all funds from the account that the trustee submit same to the
15 United States Trustee and that upon review and acceptance that the clerk of the court close the
16 case.

17 Wherefore the trustee prays that the court deem the applications to be in the nature of final
18 report and enter and order in accordance with the request of the trustee as aforesaid.

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20 /s/ David E. Grochocinski, trustee

21 By: one of his attorneys
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